

Appendix B

Materials Relied Upon**Pleadings and Legal Correspondence**

United States District Court for the District of Delaware, *In Re Class 8 Transmission Indirect Purchaser Antitrust Litigation*, Civil Action No. 11-cv-00009 (SLR), Third Amended Class Action Complaint, filed January 15, 2013.

United States Court of Appeals for the Third Circuit, *ZF Meritor LLC; Meritor Transmission Corporation v. Eaton Corporation (Nos. 11-3301 and 11-3426)*, Opinion of the Court, filed September 28, 2012

United States District Court for the District of Delaware, *ZF Meritor LLC and Meritor Transmission Corporation v. Eaton Corporation*, Civil Action No. 06-623-SLR

Bates-Stamped Materials

Data	Documents
DTNA00073494	DTNA000720912
DTNA00073664	MV0002671-73
DTNA00077326	DTNA00019555-62
DTNA00077368	MV0316113-21
DTNA00077373	DTNA00117771-792
DTNA00077374	DTNA00076787-89
DTNA00074079	NAV00026547-49
DTNA00074078	ARMFTL009287-88
DTNA00073687	ARMFTL011099-1100
DTNA00073620	PACCAR02053-2113
DTNA00073621	EATON-00438305-06
DTNA00073682	NAV00078074
DTNA00073759	RR-HC-000426-27
DTNA00079247	DTNA00075171
DTNA00073806	DTNA00075211
DTNA00075718	DTNA00073624
DTNA00073663	DTNA00073651
DTNA00073857	DTNA00073828
DTNA00073858	DTNA00073829
DTNA00073604	DTNA00074043
DTNA00073857	DTNA00076001
DTNA00073602	DTNA00076020
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DTNA00073604	DTNA00073783
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DTNA00074398	DTNA00073643
DTNA00073604	DTNA00073644
DTNA00073693	DTNA00073645
DTNA00074453	DTNA00073721
DTNA00073604	DTNA00073778
DTNA00075223	DTNA00073787
DTNA00075775	DTNA00074038
DTNA00073809	DTNA00074043
DTNA00073839	DTNA00073606
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DTNA00073604	DTNA00073810
DTNA00073639	DTNA00073664
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DTNA00074460	DTNA00073603
DTNA00074459	DTNA00073591
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DTNA00074018	DTNA00073859
DTNA00073644	DTNA00073695
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DTNA00079555
DTNA00075340
DTNA00075195
DTNA00078280
DTNA00079580
DTNA00075981
DTNA00076411
DTNA00077437
DTNA00077618
DTNA00078637
MV0337314-27
MV031623-33
MV033728
DTNA_D_00000002-3
NAV00078074
DTNA00075006

DTNA000677623

DTNA0007793

Data Produced by Defendants and Third Parties

2006 Rebates	MV0000861
Class8-c.xlsx /2-c.xlsx	MV0136552
Cognos Data	MV0147813
Copy of 2012-2014.xls	MV0178193
DTNA_D_00000002-3	MV0178243
DTNA_D_00000113-4	MV0178476
ETN-0018401	MV0268425
ETN-0018403-4	MV0269745
ETN-0018625	MV0269868
EATON-00230552	MV0276699
EATON-0030441	MV0290289
EATON-00716813	MV0316083-106
ITE-000832-90	MV0316113-21
	MV0316123-33

Answers to Questions Regarding Data

Email from Doug Marshall to Greg Linkh and Lee Albert, dated July 11, 2014.

Email from Jennifer Cowen to Daniel Silverman, dated July 10, 2014.

Email from Jennifer Cowen to Daniel Silverman, dated July 25, 2014.

Letter from Catherine S. Simonsen to Greg Linkh, Matthew Ruan, Daniel Silverman, and Chris Heffelfinger, dated October 17, 2014.

Letter from Daniel J. Boland to Laura Alexander and Gregory B. Linkh, dated January 10, 2014.

Letter from Eric J. Weiss to Daniel Silverman and Greg Linkh, dated July 18, 2014.

Letter from Eric J. Weiss to Daniel Silverman and Greg Linkh, dated July 31, 2014.

Letter from Eric J. Weiss to Daniel Silverman, dated July 3, 2014.

Letter from Eric J. Weiss to Daniel Silverman, dated March 20, 2014.

Letter from Jennifer Cowen to Greg Linkh, Matt Ruan, Daniel Silverman, and Chris Heffelfinger, dated September 5, 2014.

Letter from Jennifer Cowen to Daniel Silverman, dated June 6, 2014.

Letter from Jennifer Cowen to Daniel Silverman, dated March 14, 2014.

Letter from Jennifer Cowen to Lee Albert, dated July 22, 2014.

Letter from Julie B. Rubenstein to Daniel Silverman and Gregory Linkh, dated July 16, 2014.

Letter from Julie B. Rubenstein to Daniel Silverman and Gregory Linkh, dated July 17, 2014.

Letter from Julie B. Rubenstein to Daniel Silverman and Gregory Linkh, dated July 18, 2014.

Letter from Julie B. Rubenstein to Daniel Silverman and Gregory Linkh, dated July 29, 2014.

Letter from Julie B. Rubenstein to Daniel Silverman and Gregory Linkh, dated September 2, 2014.

Letter from Julie B. Rubenstein to Daniel Silverman and Gregory Linkh, dated September 3, 2014.

Letter from Julie B. Rubenstein to Daniel Silverman and Gregory Linkh, dated September 4, 2014.

Letter from Julie B. Rubenstein to Gregory Linkh, dated August 6, 2014.

Letter from Julie B. Rubenstein to Gregory Linkh, dated July 28, 2014.

Letter from Julie B. Rubenstein to M. John Dominguez and Daniel Silverman, dated October 24, 2014.

Letter from Julie B. Rubenstein to M. John Dominguez, Daniel Silverman, and Gregory Linkh, dated July 31, 2014.

Letter from Justin Bernick to Daniel Silverman, dated March 21, 2014.

Letter from Justin Bernick to Gregory B. Linkh, dated February 11, 2014.

Letter from Justin Bernick to Gregory B. Linkh, dated January 8, 2014.

Letter from Justin Bernick to Gregory B. Linkh, dated July 18, 2014.

Letter from Justin Bernick to Gregory B. Linkh, dated September 14, 2014.

Letter from Justin Bernick to Gregory B. Linkh, dated September 19, 2014.

Letter from Meghan C. Edwards-Ford to Gregory B. Linkh, dated November 26, 2013.

Letter from Michael J. Hartman to Daniel H. Silverman and Gregory B. Linkh, dated April 9, 2014.

Letter from Michael J. Hartman to Daniel H. Silverman and Gregory B. Linkh, dated July 1, 2014.

Letter from Michael J. Hartman to Daniel H. Silverman and Gregory B. Linkh, dated July 11, 2014.

Letter from Michael J. Hartman to Daniel H. Silverman and Gregory B. Linkh, dated August 19, 2014.

Letter from Michael J. Hartman to Daniel H. Silverman and Gregory B. Linkh, dated August 26, 2014.

Letter from Michael J. Hartman to Daniel H. Silverman and Gregory B. Linkh, dated July 25, 2014.

Letter from Michael J. Hartman to Daniel H. Silverman, dated April 29, 2014.

Letter from Michael J. Hartman to Daniel H. Silverman, dated July 10, 2014.

Letter from Michael J. Hartman to Daniel H. Silverman, dated May 16, 2014.

Letter from Michael J. Hartman to Gregory B. Linkh, dated October 1, 2014.

Letter from Michael J. Hartman to Gregory B. Linkh, dated October 17, 2014.

Letter from Michael J. Hartman to Gregory Linkh and Daniel Boland, dated October 1, 2014.

Letter from Michael J. Hartman to Laura Alexander and Gregory B. Linkh, dated February 11, 2014.

Letter from Michael J. Macko to Gregory Linkh, Esq., dated June 12, 2014.

Letter from Thomas L. Boeder to Jason Hartley, dated September 19, 2014.

Letter from Interstate Truck Center to Jason Lindner, dated October 13, 2014.

Depositions and Declarations

Expert Report of Russell Lamb, dated November 3, 2014

Deposition of James Jensen, dated July 16, 2014

Deposition of Roger Nielsen, dated September 19, 2014

Deposition of Gary Moore, dated August 20, 2014

Deposition of Ron Gerhard, dated September 10, 2014

Deposition of Joseph Richie, dated May 29, 2014

Third Party Materials

Market Research

Tam, Steve. "Energy Use and Policy in the U.S. Trucking Sector - State of the Trucking Industry," ACT Research Co., LLC, October 10, 2012.

Available at http://www.tif.org/Documents/Events/121010_trucking_event/fair+presentation.pdf

Vieht, Kenny. "An Overview of Commercial Vehicle Market in the NA Market," ACT Research Co., LLC, June 4, 2010.

Available at <http://www.tirebusiness.com/assets/PDF/TB87011225.pdf>

MarketLine. "Company Profile - Rush Enterprises, Inc.," November 25, 2013.

Available at http://store.marketingline.com/Product/rush_entrepren..._inc?productid=349D4E14-D9BA-490D-BD86-1DE6031BD43E

ViaValue, "Rush Enterprises Could Ride Truck Up-Cycle To New Heights," Seeking Alpha, September 5, 2011.

Available at <http://seekingalpha.com/article/291615-rush-enterprises-could-ride-truck-up-cycle-to-new-heights>

MarketLine. "Company Profile - Navistar International Corporation," February 12, 2014.

Available at http://store.marketingline.com/Product/navistar_international_corporation?productid=CF643DA9-56F2-4FAF-B177-5B2EFDD05836

Ulama, Daryle "Truck Dealers in the U.S.," IBISWorld, August 2014.

Available at <http://www.ibisworld.com/industry/mack-dealers.htm>

"Q3 2005 Rush Enterprises, Inc. Earnings Conference Call - Final," Voxant FD Wire, October 19, 2005.

Available at <http://www.alacastore.com/Alacastore/com/Thomson-streetevents-transcripts/Q3-2005-Rush-Enterprises-Inc-Earnings-Conference-Call-T1146727>

MarketLine. "Medium & Heavy Trucks in the United States," May 2014.

Available at http://store.marketingline.com/Product/united_states_medium_heavy_trucks?productid=MLP1238-0019

Van Horn, George, "Trucking Takes A Detour," September 16, 2008.

Available at <http://www.ibisworld.com/fleet-management/rush-enterprises-pins-growth-parts-service>

"Cascadia International LLC Profile," Hoovers Online.

Available online at www.Hoovers.com

News Articles

"After The Worst Year In Three Decades, Here Comes A Boom In American Trucking," Business Insider, December 11, 2009

Available at <http://www.businessinsider.com/predicted-boom-for-us-truck-manufacturers-2009-12>

Kilcarr, Sean "Rush Enterprises pins growth on parts & service," Fleetowner.com, December 18, 2013

Available at <http://fleetowner.com/fleet-management/rush-enterprises-pins-growth-parts-service>

Websites

<http://tradefrightliner.com/about-us/>

<http://fleetowner.com/>

<http://www.seekingalpha.com/>

<http://ibisworld.com/>

<http://www.alacastore.com>

<http://www.hoovers.com>
<http://www.ftf.org>
<http://www.tirebusiness.com>

Public Data

Federal Highway Administration Statistics, Highway Statistics Series Publications (NM-1), <http://www.fhwa.dot.gov/policyinformation/statistics.cfm>.

Federal Reserve Bank of St. Louis, Real Gross Domestic Product, <http://research.stlouisfed.org/fred2/series/GDPCE96/downloaddata>.

U.S. Bureau of Labor Statistics, Aluminum PPI (PCU33152433152402), <http://data.bls.gov/cgi-bin/srgate>.

U.S. Bureau of Labor Statistics, Iron Foundries PPI (PCU331511331511), <http://data.bls.gov/cgi-bin/srgate>.

U.S. Bureau of Labor Statistics, Iron and Steel PPI (PCU3311103311107), <http://data.bls.gov/cgi-bin/srgate>.

Purchased Data

WardsAuto InfoBank, WardsAuto US GVW Sales, 1999 – July 2014

Academic Literature

John Ciate, "Apportioning Damages between Direct and Indirect Purchasers in consolidated Antitrust Suits. ARC America Unravels the Illinois Brick Rule," *Villanova Law Review*, Vol. 35, No. 2, 1990, pp 311-317.

Robert G. Harris and Lawrence A. Sullivan, "Passing on the Monopoly Overcharge: A Comprehensive Policy Analysis", *University of Pennsylvania Law Review*, Vol. 128, No. 2, 1979, pp 269-360.

Robert S. Pindyck and Daniel L. Rubinfeld, *Microeconomics*, Sixth Edition, Upper Saddle River, NJ, Pearson Prentice Hall, 2005

Theon van Dijk & Frank Verboven, "Quantification of Damages," in Three Issues in Competition Law and Policy, ABA Section of Antitrust Law 2008, pp. 2331-2348.